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APR 19 2004

OFFICE OF PETITIONS

In re Application of  
Michael J. Berardi et al.  
Reissue Application No. 10/611,563  
Filed: June 30, 2003  
Attorney Docket No. 60655.0100

DECISION ACCORDING STATUS  
UNDER 37 CFR 1.47(a)

This is in response to the petition under 37 CFR 1.47(a), filed March 1, 2003 and supplemented on March 3, 2003.

The petition is GRANTED.

The above-identified application was filed on June 30, 2003, without an executed oath or declaration and naming Berardi, Bliman, Bonalle, Elwood, Vander Eyk, Hood, Isenberg, Malnati, Mayers, Mueller, Norcross, Saunders, Scheding, Shah, Skilling-Belmond and Williamson as joint inventors.

Accordingly, on September 26, 2003, a "Notice To File Missing Parts of Application" was mailed, requiring an executed oath or declaration and a surcharge for its late filing. A two month period for reply was set.

In response, on February 26, 2004 (certificate of mail date) and February 27, 2004 (certificate of mail date), a petition under 37 CFR 1.47(a) was filed with the last known address of Alexandra Mayers, petition fee and surcharge, a declaration signed by all of the joint inventors except Alexandra Mayers and a petition for a three month extension of time. Additionally, a declaration by Patrick L. Mixon, Attorney of Record, and a statement by Patrice Jacobson, Senior Legal Manager with American Express, the assignee, regarding the efforts enlisted to have Ms. Mayers execute the oath or declaration and copies of an E-mail from Ms. Mayers expressly refusing to execute the oath or declaration and thus to cooperation with the filing of the instant application was submitted.

The applicant files this petition alleging that joint inventor Alexandra Mayers refuses to sign the oath/declaration and seeks status under 37 CFR 1.47(a).

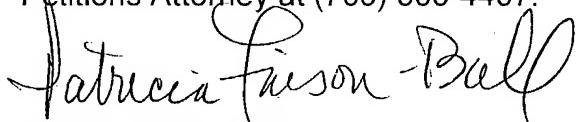
A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). In view thereof, this application is hereby accorded Rule 1.47(a) status.

Thus, as provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventors at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application is being forwarded to Technology Center 2600 for examination in due course.

Telephone inquiries related to this decision should be directed to the undersigned Petitions Attorney at (703) 305-4497.



Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions



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APR 19 2004

OFFICE OF PETITIONS

In re Application of  
Michael J. Berardi et al.  
Application No. 10/611,563  
Filed: June 30, 2003  
For: TRANSPARENT TRANSACTION CARD

Dear Ms. Mayers:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned Petitions Attorney at (703) 305-4497. Requests for information regarding your application should be directed to the File Information Unit at 703/308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 703/308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions

cc:  
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